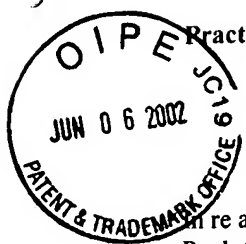


184

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MA

MP1 #3  
PATENT



Practitioner's Docket No. 17396/09015

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: De Billot, Maurice R.; Van Wyk, Schalk; Odendaal, Theunis M.; Phillion, Dennis Paul; Coultas, Jeffrey S.; Sanders, Ernest F.; Penner, Greg A.; Asrar, Jawed; and Stern, Michael K.

Application No.: 10/026,301

Group No.: \_\_\_\_\_

Filed: 12/19/2001

Examiner: \_\_\_\_\_

For: METHOD OF IMPROVING YIELD AND VIGOR OF PLANTS

Box Missing Parts  
Commissioner for Patents  
Washington, D.C. 20231

CERTIFICATE OF FIRST CLASS MAILING  
UNDER 37 C.F.R. section 1.8(a)

I hereby certify that the attached correspondence comprising:

1. Fee Transmittal (1 page).
2. Notice to File Missing Parts of Nonprovisional Application (1 page).
3. Petition and Fee for Extension of Time (2 pages).
4. Five Combined Declaration and Power of Attorney Documents (25 pages).
5. Assignment Documents Cover Sheet - including 6 assignments (46 pages).
6. Check for \$770.00
7. Return postcard.

is being deposited with the United States Postal Service, with sufficient postage, as first class mail in an envelope addressed to Box Missing Parts, Commissioner for Patents, Washington, D.C. 20231 on May 29, 2002.

Diane Filatov

  
Signature of person mailing paper

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PTO/SB/17 (10-01)

Approved for use through 10/31/2002. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**FEE TRANSMITTAL  
for FY 2002**

*Patent fees are subject to annual revision.*

**AMOUNT OF PAYMENT** (\$) **770.00**

**C mpl te if Known**

|                      |                             |
|----------------------|-----------------------------|
| Application Number   | 10/026,301                  |
| Filing Date          | 12/19/2001                  |
| First Named Inventor | Maurice R. De Biliot et al. |
| Examiner Name        | Unknown                     |
| Group Art Unit       |                             |
| Attorney Docket No.  | 17396/09015                 |

**METHOD OF PAYMENT**

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number: **50-1196**

Deposit Account Name: **Nelson Mullins Riley...**

☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

☐ Applicant claims small entity status. See 37 CFR 1.27

2. ☒ **Payment Enclosed:**

☒ Check ☐ Credit card ☐ Money Order ☐ Other

**FEE CALCULATION (continued)**

**3. ADDITIONAL FEES**

| Fee Code            | Large Entity Fee (\$) | Small Entity Fee (\$) | Fee Description | Fee Paid   |        |
|---------------------|-----------------------|-----------------------|-----------------|--|--------|
| 105                 | 130                   | 205                   | 65              | Surcharge - late filing fee or oath  | 130.00 |
| 127                 | 50                    | 227                   | 25              | Surcharge - late provisional filing fee or cover sheet                     |        |
| 139                 | 130                   | 139                   | 130             | Non-English specification  |        |
| 147                 | 2,520                 | 147                   | 2,520           | For filing a request for <i>ex parte</i> reexamination                     |        |
| 112                 | 920*                  | 112                   | 920*            | Requesting publication of SIR prior to Examiner action                     |        |
| 113                 | 1,840*                | 113                   | 1,840*          | Requesting publication of SIR after Examiner action                        |        |
| 115                 | 110                   | 215                   | 55              | Extension for reply within first month                                     |        |
| 116                 | 400                   | 216                   | 200             | Extension for reply within second month                                    | 400.00 |
| 117                 | 920                   | 217                   | 460             | Extension for reply within third month                                     |        |
| 118                 | 1,440                 | 218                   | 720             | Extension for reply within fourth month                                    |        |
| 128                 | 1,960                 | 228                   | 980             | Extension for reply within fifth month                                     |        |
| 119                 | 320                   | 219                   | 160             | Notice of Appeal   |        |
| 120                 | 320                   | 220                   | 160             | Filing a brief in support of an appeal                                     |        |
| 121                 | 280                   | 221                   | 140             | Request for oral hearing   |        |
| 138                 | 1,510                 | 138                   | 1,510           | Petition to institute a public use proceeding                              |        |
| 140                 | 110                   | 240                   | 55              | Petition to revive - unavoidable   |        |
| 141                 | 1,280                 | 241                   | 640             | Petition to revive - unintentional   |        |
| 142                 | 1,280                 | 242                   | 640             | Utility issue fee (or reissue)   |        |
| 143                 | 460                   | 243                   | 230             | Design issue fee   |        |
| 144                 | 620                   | 244                   | 310             | Plant issue fee  |        |
| 122                 | 130                   | 122                   | 130             | Petitions to the Commissioner  |        |
| 123                 | 50                    | 123                   | 50              | Processing fee under 37 CFR 1.17(q)  |        |
| 126                 | 180                   | 126                   | 180             | Submission of Information Disclosure Stmt                                  |        |
| 581                 | 40                    | 581                   | 40              | Recording each patent assignment per property (times number of properties) | 240.00 |
| 146                 | 740                   | 246                   | 370             | Filing a submission after final rejection (37 CFR § 1.129(a))              |        |
| 149                 | 740                   | 249                   | 370             | For each additional invention to be examined (37 CFR § 1.129(b))           |        |
| 179                 | 740                   | 279                   | 370             | Request for Continued Examination (RCE)                                    |        |
| 169                 | 900                   | 169                   | 900             | Request for expedited examination of a design application                  |        |
| Other fee (specify) |                       |                       |                 |  |        |
| <b>SubTOTAL (3)</b> |                       |                       |                 | <b>(\$ 770.00)</b>   |        |

**FEE CALCULATION**

**1. BASIC FILING FEE**

| Large Entity Fee Code | Large Entity Fee (\$) | Small Entity Fee Code | Small Entity Fee (\$) | Fee Description        | Fee Paid |
|-----------------------|-----------------------|-----------------------|-----------------------|------------------------|----------|
| 101                   | 740                   | 201                   | 370                   | Utility filing fee     |          |
| 106                   | 330                   | 206                   | 165                   | Design filing fee      |          |
| 107                   | 510                   | 207                   | 255                   | Plant filing fee       |          |
| 108                   | 740                   | 208                   | 370                   | Reissue filing fee     |          |
| 114                   | 160                   | 214                   | 80                    | Provisional filing fee |          |
| <b>SubTOTAL (1)</b>   |                       |                       |                       | <b>(\$ 0.00)</b>       |          |

**2. EXTRA CLAIM FEES**

| Total Claims       | Extra Claims | Fee from below | Fee Paid |
|--------------------|--------------|----------------|----------|
| Independent        | -20** =      | X              |          |
| Multiple Dependent | -3** =       | X              |          |

| Large Entity Fee Code | Large Entity Fee (\$) | Small Entity Fee Code | Small Entity Fee (\$) | Fee Description  | Fee Paid |
|-----------------------|-----------------------|-----------------------|-----------------------|--|----------|
| 103                   | 18                    | 203                   | 9                     | Claims in excess of 20                                     |          |
| 102                   | 84                    | 202                   | 42                    | Independent claims in excess of 3                          |          |
| 104                   | 280                   | 204                   | 140                   | Multiple dependent claim, if not paid                      |          |
| 109                   | 84                    | 209                   | 42                    | ** Reissue independent claims over original patent         |          |
| 110                   | 18                    | 210                   | 9                     | ** Reissue claims in excess of 20 and over original patent |          |
| <b>SubTOTAL (2)</b>   |                       |                       |                       | <b>(\$ 0.00)</b>   |          |

\*\*or number previously paid, if greater; For Reissues, see above

|                     |                   |                                   |              |
|---------------------|-------------------|-----------------------------------|--------------|
| <b>SUBMITTED BY</b> |                   | <b>Complete (if applicable)</b>   |              |
| Name (Print/Type)   | Charles E. Dunlap | Registration No. (Attorney/Agent) | 35,124       |
| Signature           |                   | Telephone                         | 864-250-2238 |
|                     |                   | Date                              | 05/28/2002   |

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

**Burden Hour Statement:** This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

#3



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|---------------------|-----------------------|------------------------|
| 10/026,301         | 12/19/2001          | Maurice R. De Billot  | 17396/09015            |

Charles E. Dunlap  
Keenan Building  
Third Floor  
1330 Lady Street  
Columbia, SC 29201

CONFIRMATION NO. 8087

## FORMALITIES LETTER



\*OC00000007388813\*

Date Mailed: 01/30/2002

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

## Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

---

*A copy of this notice **MUST** be returned with the reply.*

Linh C

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

RECEIVED

FEB 07 2002

NELSON MULLINS  
COLUMBIA OFFICE

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